



**CITY COUNCIL MEETING  
MASCOTTE, FLORIDA**

**MONDAY, APRIL 17, 2017  
6:00 P.M.**

**COUNCIL CHAMBERS** **121 N. SUNSET AVE**  
**TEDDER-THOMAS MEMORIAL CIVIC CENTER** **MASCOTTE, FLORIDA**

**MINUTES**

**CALL TO ORDER:** Mayor Krull called the April 17, 2017, Regular Council Meeting to order at 6:10 p.m.

**INVOCATION/MOMENT OF SILENCE & PLEDGE OF ALLEGIENCE:** Mayor Krull gave the invocation followed by Mayor Krull leading the Pledge of Allegiance.

**ROLL CALL:**

Present: Council Member Steven Sheffield  
Council Member Louise Thompson  
Mayor Pro Tem Brenda Brasher  
Mayor Barbara Krull  
Council Member Sally Rayman

Also Present: Jim Gleason, City Manager  
Dolly Miller, Deputy City Manager/Finance Director  
Randy Brasher, Fire Chief  
Larry Walker, Public Services Director  
Eric Pedersen, Police Chief  
Maxwell Spann, City Planner  
Ralph Jones, City Building Official  
Stephanie Abrams, Assistant City Clerk  
Michelle Hawkins, City Clerk  
Virginia Cassady, City Attorney  
Andrew Hand, City Attorney

47 **1. A. Presentation: Police Chief will be presenting police officers that have been promoted**  
48 **to Corporals.**

49  
50 Police Chief Pedersen approached the podium to discuss this item.

51  
52 Police Chief Pedersen stated that there was a process in which officers can apply for a  
53 promotion, and various cities offered their services when it came to the interview process.

54  
55 Police Chief Pedersen presented Corporal Keith Flanary and Keith Weissman who have been  
56 promoted to Corporal.

57  
58 Council congratulated both for their promotion and for a job well done.

59  
60 Mayor Krull opened the floor for public comments:  
61 There were none.

62  
63 **2. A. Consent Agenda: City Attorney Andrew Hand Legal Services Agreement, and section**  
64 **1115 of the city's personnel policy.**

65  
66 Mayor Krull opened the floor for public comments:  
67 There were none.

68  
69 *Council Member Sheffield motioned to approve the consent agenda as presented.*  
70 *Mayor Pro Tem Brasher seconded the motion.*

71  
72 *Motion Passed 5 to 0*

73  
74 *Council Member Sheffield "Aye"*

75 *Council Member Thompson "Aye"*

76 *Council Member Rayman "Aye"*

77 *Mayor Pro Tem Brasher "Aye"*

78 *Mayor Krull "Aye"*

79  
80 **3. A. Public Hearing: Final Reading and Adoption of Ordinance 2017-04-563 (Update**  
81 **Floodplain).**

82  
83 City Attorney read by title only Ordinance 2017-04-563:

84  
85 **ORDINANCE 2017-04-563**

86  
87 **AN ORDINANCE OF THE CITY OF MASCOTTE, LAKE COUNTY,**  
88 **FLORIDA, REPEALING THE CITY'S FLOODPLAIN MANAGEMENT**  
89 **REGULATIONS AND ADOPTING NEW FLOODPLAIN MANAGEMENT**  
90 **REGULATIONS AS CHAPTER 8 OF THE CODE OF ORDINANCES,**

91 CONSISTENT WITH THE FLORIDA BUILDING CODE AS AMENDED  
92 AND THE MODEL ORDINANCE PROVIDED BY THE DIVISION OF  
93 EMERGENCY MANAGEMENT; ADOPTING TECHNICAL  
94 AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING A  
95 FISCAL IMPACT STATEMENT; PROVIDING LEGISLATIVE  
96 FINDINGS; PROVIDING FOR CODIFICATION AND POWERS OF THE  
97 CODE CODIFIER; PROVIDING FOR SEVERABILITY, CONFLICTS,  
98 DIRECTIONS TO THE CITY CLERK OR DESIGNEE, AND AN  
99 EFFECTIVE DATE.

100  
101 City Attorney Cassady explained this item. First reading was approved at the April 3,  
102 2017 council meeting.

103  
104 Mayor Krull opened the floor for public comments:  
105 There were none.

106  
107 *Council Member Rayman moved to approve the final reading and adoption of Ordinance*  
108 *2017-04-563 (Update Floodplain). Council Member Thompson seconded the motion.*

109  
110 *Motion Passed 5 to 0*

111  
112 *Council Member Sheffield "Aye"*

113 *Mayor Pro Tem Brasher "Aye"*

114 *Council Member Thompson "Aye"*

115 *Council Member Rayman "Aye"*

116 *Mayor Krull "Aye"*

117  
118 **3. B. Public Hearing: Final Reading and adoption of Ordinance 2017-04-564**  
119 **(Abandonment of Right of Away).**

120  
121 City Attorney Cassady read by title only Ordinance 2017-04-564:

122  
123 **ORDINANCE 2017-04-564**

124  
125 AN ORDINANCE OF THE CITY OF MASCOTTE, FLORIDA,  
126 CREATING ARTICLE V, "RIGHT OF WAY/EASEMENT  
127 ABANDONMENT," OF CHAPTER 16 OF THE MASCOTTE CODE OF  
128 ORDINANCES; ESTABLISHING PROCEDURES FOR VACATING AND  
129 ABANDONING CITY ROADS, RIGHTS OF WAY, AND EASEMENTS;  
130 PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION,  
131 AND AN EFFECTIVE DATE. BE IT ORDAINED BY THE CITY  
132 COUNCIL OF THE CITY OF MASCOTTE, FLORIDA, AS FOLLOWS:

133 City Attorney Cassady explained this ordinance to council and the reason for this  
134 ordinance.

135 Mayor Krull opened the floor for public comments:  
136 There were none.

137

138 *Council Member Thompson moved to approve the final reading and adoption of*  
139 *Ordinance 2017-04-564 (Abandonment of Right of Away). Council Member Sheffield*  
140 *seconded the motion.*

141

142 *Motion Passed 5 to 0*

143

144 *Mayor Pro Tem Brasher "Aye"*

145 *Council Member Thompson "Aye"*

146 *Council Member Sheffield "Aye"*

147 *Council Member Rayman "Aye"*

148 *Mayor Krull "Aye"*

149

150 **4. A. Ordinances: First Reading of Ordinance 2017-05-565 (Noise/Sound Regulations).**

151

152 City Attorney Cassady read by title only Ordinance 2017-05-565:

153

**ORDINANCE 2017-05-565**

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**AN ORDINANCE OF THE CITY OF MASCOTTE, FLORIDA, DELETING SECTION 11-3 FROM THE CODE OF ORDINANCES; CREATING ARTICLE II OF CHAPTER 20, TO BE ENTITLED "SOUND REGULATIONS" AND INCLUDING THEREIN LEGISLATIVE FINDINGS, DEFINITIONS, PROHIBITED NOISE AND SOUNDS, EXEMPTIONS, AND SPECIAL TEMPORARY PERMITS; ADOPTING THE "PLAINLY AUDIBLE STANDARD" AND THE "REASONABLE PERSON OF NORMAL SENSIBILITIES STANDARD" TO DETERMINE WHEN CERTAIN SOUNDS ARE UNLAWFUL; LIMITING THE HOURS OF CERTAIN ACTIVITIES WHICH GENERATE NOISE; AMENDING SECTION 12-22 REGARDING CLASSES OF VIOLATIONS FOR CHAPTER 20; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MASCOTTE, FLORIDA, AS FOLLOWS:**

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170

171

City Manager Gleason explained that there have been some cases of noise complaints. He explained it's very wordy due to rights of the constitution, but we wanted to put something in place.

172

173

City Manager Gleason stated that once this is adopted this will fall under the civil citation as a class III violation.

174

175

Mayor Krull opened the floor for public comments:

176 William Reed approached the podium as he had a question.

177

178 William Reed who resides at 321 Betty Lane asked what if the violator keeps violating  
179 the ordinances and has no problems paying the fee.

180

181 City Attorney Cassady stated if the violator is willfully violating this ordinance the city  
182 can impose a lien on the property, and if it is the renter that is violating then the owner of  
183 the property will be responsible.

184

185 Council Member Sheffield questioned if there is also laws that the police can follow to do  
186 something about it as well, even to the point of arresting the person.

187

188 Police Chief Pedersen stated possibly.

189

190 *Mayor Pro Tem moved to approve the first reading of Ordinance 2017-05-565*  
191 *(Noise/Sound Regulations. Council Member Thompson seconded the motion.*

192

193 *Motion Passed 5 to 0*

194

195 *Mayor Pro Tem Brasher "Aye"*

196 *Council Member Thompson "Aye"*

197 *Council Member Sheffield "Aye"*

198 *Council Member Rayman "Aye"*

199 *Mayor Krull "Aye"*

200

201 **5. A. Resolutions: Reading and Adoption of Resolution 2017-04-603 (Abandonment pf**  
202 **Right of Way Fee updating Fee Schedule).**

203

204 City Attorney read by title only Resolution 2017-04-603:

205

**.RESOLUTION 2017-04-603**

206

207

208

209

210

**A RESOLUTION OF THE CITY OF MASCOTTE, LAKE COUNTY,  
FLORIDA, AMENDING THE CITY OF MASCOTTE "FEE SCHEDULE"  
BY ADDING FEES AND CHARGES WHEN REQUESTS ARE MADE TO  
ABANDON CITY RIGHTS OF WAY; PROVIDING FOR CONFLICTS  
AND SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE.**

211

212

City Attorney Cassady stated that council just adopted Ordinance 2017-04-564, and with  
that being adopted the city needed to update their fee schedule to add the fee.

213

214

215

Mayor Krull opened the floor for public comments:

There were none.

216 *Mayor Pro Tem Brasher moved to approve the adoption of Resolution 2017-04-603*  
217 *(Abandonment of Right of Way fee updating the City's fee schedule). Council Member*  
218 *Sheffield seconded the motion.*

219  
220 *Motion Passed 5 to 0*

221  
222 *Mayor Pro Tem Brasher "Aye"*  
223 *Council Member Thompson "Aye"*  
224 *Council Member Sheffield "Aye"*  
225 *Council Member Rayman "Aye"*  
226 *Mayor Krull "Aye"*

227

228 **6. A. New Business: Discussion and Clarification of Ordinance 2016-01-542 (Fence**  
229 **Ordinance).**

230

231 City Manager stated that there needs to be some discussion and clarification on this  
232 ordinance as we seem to have some issues with some properties that it is very difficult to  
233 approve a fence permit.

234

235 City Manager Gleason stated that he thought the intent was not to allow chain link fences  
236 in the city, but after looking through the ordinance it discusses various things when it  
237 comes to property that are corner lots.

238

239 City manager Gleason stated that the planner and the building official are here this  
240 evening to discuss what challenges are occurring with this ordinance and issuing a fence  
241 permit.

242

243 Mayor Pro Tem Brasher stated that her intention was to have no chain link fences in the  
244 front yard.

245

246 Ralph Jones building official approached the podium to address council.

247

248 Ralph Jones discussed how he is confused when it discuss the same fencing as the  
249 perimeter and this seems a little confusing as what does perimeter mean according to the  
250 code.

251

252 Mayor Pro Tem Brasher stated that perimeter to her means the actual property line of the  
253 owner, not the neighbors, so they wouldn't have to have the same fencing as the  
254 neighbor.

255

256 City Manager Gleason and City Attorney Cassady stated that what the Mayor Pro Tem is  
257 stating is correct.

258

259 Maxwell Spann city planner approached the podium to address some of his areas of  
260 concern for this ordinance and how it is very confusing. He stated that he and the  
261 building official have had discussions regarding this ordinance.

262  
263 There were continued discussions regarding this item.

264  
265 City Manager Gleason stated that there is a different set of rules for commercial as well  
266 according to this ordinance. That they were allowed in the commercial area as long as  
267 there was black or green vinyl coating slates to have a pleasing look.

268  
269 City Attorney Cassady stated that if the Community Redevelopment Area (CRA) is  
270 allowed to have chain link fence for commercial then everywhere else in the commercial  
271 area will have to be allowed.

272  
273 City Manager Gleason stated that the attorney will clean up the ordinance and do a short  
274 term band aid for the time being so that people are not held up with their fence permit.

275  
276 City Attorney Cassady stated that she will clean the ordinance up and bring it back to  
277 council.

278  
279 Council wants no chain link fences in residential areas.

280

281 **6. B. New Business City Cemetery Lots (Informational only):**

282

283 City Manager Gleason stated that the city has only 78 lots left to be sold and we will be  
284 full. He stated that cities in his opinion should not be in the cemetery business. The city  
285 clerk spells out what are left and the reasons for why we are not selling the lots in red.

286 City Manager Gleason stated that this is just for information only.

287 **7A. Public Comments:**

288

289 Mayor Krull called upon William Reed who completed a request to address Council for.,  
290 and resides at 321 Betty Lane.

291

292 William Reed approached the podium; he stated that he is there this evening as he is not  
293 happy with the garbage company.

294

295 William Reed stated that they are not picking up all the garbage such as the bulk items.  
296 He stated that he called WCA to complain, but he wanted to let the city know that there is  
297 an issue.

298

299 City Manager Gleason stated that he will contact the manager for WCA as well as having  
300 staff drive around the city and see where the problem areas are.

301

302 **8. A. City Manager: Project- Public Safety Complex.**

303  
304 City Manager Gleason stated that he was looking into the future as far as the public safety  
305 complex. Currently the city has budget some money for some repairs to the police  
306 department, and in looking at the cost and some areas in not just in the police department  
307 but in the fire department as well. I am looking to see what the cost would be to have a  
308 new public safety complex.

309  
310 City Manager Gleason stated the city keeps putting band aids to the two buildings and  
311 with the money that is being spent for these band aids he wanted to see what can be done  
312 with the existing property.

313  
314 City Manager Gleason stated that he had staff contact various cities who have done or are  
315 doing a new public safety complex to see what company that they are using for coming  
316 up with a concept.

317  
318 City Manager Gleason stated that two companies sent over proposals of what it will cost  
319 to bring a concept and what would need to be done to build a complex and the estimated  
320 cost. There is one company located in Clermont that came in the cheapest and he is  
321 asking them to send an agreement so that staff can get approval from council. This will  
322 be at the May 1, 2017 council meeting.

323  
324 **8. B. City Manager: Communication.**

325  
326 City Manager Gleason passed out previous meeting minutes to council prior to him  
327 speaking.

328  
329 City Manager Gleason stated that he just wants to double check with council in regards to  
330 communication. He stated that he had brought to council on numerous council meetings  
331 regarding the semi-truck parking and has asked council if they want staff to move  
332 forward with staff working on an ordinance regarding parking, and in those meetings  
333 there were no objections.

334  
335 City Manager Gleason stated that at the first reading of the ordinance there were no  
336 objections by council, and he now doesn't understand why at the final reading the item  
337 died for a lack of a second.

338  
339 City Manager Gleason stated that if council was not interested in moving forward then it  
340 should have been brought up prior to the city spending about \$5,000 for the advertising  
341 and for the attorney's time.

342  
343 Mayor Pro Tem Brasher stated that she didn't motion because she felt that this item  
344 wasn't going to pass.

345

346 Council Member Sheffield stated that he is very upset that there was no second, and he  
347 feels that there should be a vote for every item that needs a vote, don't let things die. If  
348 an item doesn't pass that is fine, but we need to vote.  
349

350 **9. B. City Attorney: City Manager's renewal of Employment Agreement.**

351  
352 City Attorney Cassady stated that it is now time to renew the city manager's employment  
353 agreement.  
354

355 City Attorney Cassady stated that the only change that the city manager is asking for is to  
356 have a three (3) year term.  
357

358 Mayor Krull opened the floor for public comments:  
359 There were none.  
360

361 City Attorney Cassady stated if council is okay with the change that was asked for I  
362 would just need a consensus. She stated that once it has been changed it will be on the  
363 May 1, 2017 council meeting.  
364

365 *There was a consensus by council that they are okay with the one change to the City*  
366 *Manager's employment agreement in which it will be a three (3) year term contract.*  
367

368  
369  
370

371 **Meeting was adjourned at 8:43pm.**  
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373  
374  
375  
376  
377  
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379   
380 Barbara Krull, Mayor

381  
382  
383 ATTEST:

384   
385 Michelle Hawkins, City Clerk  
386